

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

**NOTICE OF PENALTIES INCURRED AND DUE
FOR VIOLATIONS OF LAWS AND RULES**

PENALTY ASSESSMENT: DG-260087
PENALTY AMOUNT: \$3,000
Investigation # 9277

EMAIL SERVICE

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YOU MUST RESPOND WITHIN 15 DAYS OF THIS NOTICE

The Washington Utilities and Transportation Commission (Commission) believes that H.C. Impressions NW, Inc. (H.C. Impressions or Company) violated the following Revised Codes of Washington (RCW) 19.122.030(2) on three occasions by failing to provide notice to a one-number locator service not less than two full business days and not more than 10 full business days before the scheduled work-to-begin date

On January 16, 2026, Commission staff (Staff) received complaint #36 filed by NW Natural Gas (NWN or Complainant) alleging H.C. Impressions committed three violations of RCW 19.122.030(2). Staff conducted an investigation that included reviewing the complaint, communication with NWN, photographs, the One Call Center database, and attempted communications with the Company. The investigation identified a natural gas event involving H.C. Impressions.

RCW 19.122.055(3) states, in part, that any excavators who violate any provision of this chapter but does not cause damage to an underground gas facility are subject to a civil penalty of not more than \$5,000 for each violation.

Commission staff (Staff) conducted an investigation that included reviewing damage reports, investigation reports, the One Call Center database, and communications with the Company. The documents reviewed identified a natural gas event that involved H.C. Impressions damaging a natural gas facility while excavating without a valid locate ticket.

The Commission reviewed findings and recommendations made by Staff and hereby notifies you that it is assessing a \$3,000 penalty (Penalty Assessment) against you on the following grounds:

1. **Alleged Violation 1:**

On January 12, 2026, H.C. Impressions was excavating at lot 38 (intersection of NE 18th Street and NE 194th Avenue, Vancouver, Washington). The complaint submitted by NWN on January 16, 2026, indicated that H.C. Impressions was excavating without a valid locate ticket

Analysis:

The alleged violation concerns RCW 19.122.030(2), which states, in part, that an excavator must provide notice to a one-number locator service not less than two full business days and not more than 10 full business days before the scheduled work-to-begin date, unless otherwise agreed by the excavator and facility operators in writing.

NWN responded to Staff's request for information and provided a photograph depicting H.C. Impressions excavating. NWN documented that H.C. Impressions was observed digging with hand tools at the work site. NWN requested crews stop digging until it had a valid locate ticket to avoid damaging underground utilities. NWN called H.C. Impressions office and spoke with the manager regarding the need to call for locates prior to any digging. NWN noted that the company acknowledged it did not have a valid locate and would submit a request to one-call. Finally, the project manager for Pacific Lifestyle Homes called NWN later and advised that H.C. Impressions would be continuing to work in the area away from utilities.

2. **Alleged Violation 2:**

On January 12, 2026, H.C. Impressions was excavating at Lot 39 (intersection of NE 18th Street & NE 195th Avenue), Vancouver, Washington. The complaint submitted by NWN on January 16, 2026, indicated that H.C. Impressions was excavating without a valid locate ticket.

Analysis:

The alleged violation concerns RCW 19.122.030(2), which states, in part, that an excavator must provide notice to a one-number locator service not less than two full business days and not more than 10 full business days before the scheduled work-to-begin date, unless otherwise agreed by the excavator and facility operators in writing.

NWN responded to Staff's request for information and provided a photograph depicting H.C. Impressions excavating. The photograph's document trucks belonging to H.C. Impressions and trees to be planted. NWN documented that H.C. Impressions crews were digging with hand tools at the work site, which is connected to Lot 38. NWN requested that crews stop digging until it had a valid locate. NWN called H.C. Impressions office and spoke with the manager to advise the company to call for locates prior to any digging. NWN noted that the Company acknowledged it did not have a valid locate and would submit a request to one call. Finally, the project manager for Pacific Lifestyle Homes called NWN later and advised that H.C. Impressions would be continuing to work in the area away from utilities.

3. **Alleged Violation 3:**

On January 12, 2026, H.C. Impressions was excavating at Lot 52 (intersection of NE 18th Street, three lots southwest of 195th Avenue), Vancouver, Washington. The complaint

submitted by NWN on January 16, 2026, indicated that H.C. Impressions was excavating without a valid locate ticket.

Analysis:

The alleged violation concerns RCW 19.122.030(2), which states, in part, that an excavator must provide notice to a one-number locator service not less than two full business days and not more than 10 full business days before the scheduled work-to-begin date, unless otherwise agreed by the excavator and facility operators in writing.

NWN responded to Staff's request for information and provided a photograph depicting H.C. Impressions excavating. The photographs document recently planted trees, and an H.C. Impressions work truck. NWN documented that H.C. Impressions crews were digging with hand tools at the work site, and the crew also admitted it used the Company's mini excavator for some of the work, which primarily took place on Lot 52 for tree installation. NWN asked that crews stop digging until it had a valid locate. NWN called H.C. Impressions office and spoke with the manager to advise the company to call for locates prior to any digging. NWN noted that the Company acknowledged it did not have a valid locate and would submit a request to one call. Finally, the project manager for Pacific Lifestyle Homes called NWN later and advised that H.C. Impressions would continue to work in the area away from utilities.

Staff searched the Washington One Call Center database and confirmed that H.C. Impressions did not have a valid locate ticket for Lot 38, Lot 39, and Lot 52 on January 12, 2026. Staff found that the Company requested locate ticket #26016140 on January 13, 2026, for 19502 Northeast 19th Street, Vancouver, Washington, which covers all three identified locations.

On January 20, 2026, Staff emailed H.C. Impressions requesting information. On February 5, 2026, Staff emailed the Company requesting information. To date, Staff has not received any email communication from H.C. Impressions.

The Commission considered the following factors in determining the appropriate penalty amount for the violation:

1. **How serious or harmful the violations are to the public.**
This incident could have been harmful to Company workers, utility technicians, nearby homeowners, and the public, and could have resulted in serious injury and loss of property.
2. **Whether the violations were intentional.**
This violation appears to be due to negligence by H.C. Impressions rather than a lack of knowledge regarding Washington State's dig law. Since February 17, 2025, H.C. Impressions has submitted 52 requests to locate underground facilities in Washington. This demonstrates the Company's knowledge of the requirements and its responsibility to comply with the Dig Law.
3. **Whether the company self-reported the violations.**
H.C. Impressions was not required to self-report the violation as no damage occurred. The Commission became aware of the violation when NWN filed a complaint with the

Commission. Pursuant to RCW 19.122.053(1), only damage events must be reported to the Commission.

4. **The likelihood of recurrence.**

The likelihood of recurrence depends on the Company's actions going forward and its willingness to notify the one-call locator service every time prior to excavation.

The Commission has considered these factors and determined that it should penalize H.C. Impressions as follows:

- **First Violation:** \$1,000 penalty for one violation of RCW 19.122.030(2) that occurred on January 12, 2026, at Lot 38 (intersection of NE 18th Street & NE 194th Avenue), Vancouver, WA.
- **Second Violation:** \$1,000 penalty for one violation of RCW 19.122.030(2) that occurred on January 12, 2026, at Lot 39 (intersection of NE 18th Street & NE 195th Avenue), Vancouver, WA.
- **Third Violation:** \$1,000 penalty for one violation of RCW 19.122.030(2) that occurred on January 12, 2026, at Lot 52 (intersection of NE 18th Street, three lots southwest of 195th Avenue), Vancouver, WA.

With a total penalty of \$3,000 for three violations of RCW 19.122.030(2) with an offer to suspend a \$2,400 portion of the penalty for 90 days, and then waive it, subject to the conditions that:

- 1) Company management and field crew responsible for excavation complete Dig Safe Training provided through the National Utility Contractors Association (NUCA) within 90 days of this Penalty Assessment; and
- 2) The Company must submit documentation of training completion to the Commission.

Further violation of RCW 19.122 will result in progressive penalty assessment up to maximum allowable by law.

These facts, if proven at a hearing and not rebutted or explained, are sufficient to support the Penalty Assessment.

Your penalty is due and payable now. If you believe the violations did not occur, you may deny committing the violations and contest the penalty through evidence presented at a hearing or in writing. Or, if there is a reason for the violations that you believe should excuse you from the penalty, you may ask for mitigation (reduction) of the penalty through evidence presented at a hearing or in writing. The Commission will grant a request for a hearing only if material issues of law or fact require consideration of evidence and resolution in a hearing. Any request to contest the violations, or for mitigation of the penalty must include a written statement of the reasons supporting that request. Failure to provide such a statement will result in denial of the request. *See* RCW 81.04.405.

If you properly present your request for a hearing and the Commission grants that request, the Commission will review the evidence supporting your dispute of the violations or application for mitigation in a Brief Adjudicative Proceeding before an administrative law judge. The administrative law judge will consider the evidence and will notify you of their decision.

You must act within 15 days after receiving this Penalty Assessment to do one of the following:

- Pay the \$3,000 penalty amount due; or
- Pay \$600 and notify the Commission that you accept the offer to suspend a \$2,400 portion of the penalty amount for 90 days, and then waive it, subject to the following conditions:
 - Company management and field crew responsible for excavation must complete NUCA Dig Safe Training (<https://utc-9183.quickbase.com/db/bpkt6vndh>) within 90 days of service of this Penalty Assessment; and
 - The Company must submit documentation of training completion (Certificate) to the Commission. (See attached **NUCA Dig Safe Training Verification Record**); or
- Contest the occurrence of the violations; or
- Admit the violations but request mitigation of the penalty amount.

Please indicate your selection on the enclosed form and submit it electronically through the Commission's web portal at <https://efiling.utc.wa.gov/Form> **within FIFTEEN (15) days** after you receive this Penalty Assessment. If you are unable to use the web portal, you may submit it via email to records@utc.wa.gov. If you are unable to submit the form electronically, you may send a paper copy to the Washington Utilities and Transportation Commission, PO Box 47250, Olympia, Washington 98504-7250.

If you wish to make your payment online, please use this link: [Make a Payment Now \(wa.gov\)](#).¹

If you do not act within 15 days, the Commission may refer this matter to the Office of the Attorney General for collection.

DATED at Lacey, Washington, and effective February 27, 2026.

/s/Connor Thompson
CONNOR THOMPSON
Director, Administrative Law Division

¹ <https://www.utc.wa.gov/documents-and-proceedings/online-payments/make-payment-now>.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION
PENALTY ASSESSMENT DG-260087 Investigation # 9277

PLEASE NOTE: You must complete and sign this document and send it to the Commission within 15 days after you receive the Penalty Assessment. Use additional paper if needed.

I have read and understand RCW 9A.72.020 (printed below), which states that making false statements under oath is a class B felony. I am over the age of 18, competent to testify to the matters set forth below, and I have personal knowledge of those matters. I hereby make, under oath, the following statements:

- [] 1. **Payment of penalty.** I admit that the violations occurred:
- [] Enclose \$3,000 in payment of the penalty.
 - OR [] Attest that I have paid the penalty through the Commission's payment portal.
- [] 2. **Accept conditions.** I admit that the violations occurred and enclose \$600 toward the payment of the penalty. I also accept the Commission's offer to suspend for 90 days, and ultimately waive, the remaining \$2,400 penalty amount subject to the following conditions:
- o Company management and field crew responsible for excavation at the time of the incident, must complete NUCA Dig Safe training (<https://utc-9183.quickbase.com/db/bpkt6vndh>) within 90 days of service of this Penalty Assessment; and
 - o The Company must submit documentation of training completion (Certificate) to the Commission. (See attached **NUCA Dig Safe Training Verification Record**).
- [] 3. **Contest the violations.** I believe that the alleged violations did not occur for the reasons I describe below (**if you do not include reasons supporting your contest here, your request will be denied**):
- [] a) I ask for a hearing to present evidence on the information I provide above to an administrative law judge for a decision.
 - OR [] b) I ask for a Commission decision based solely on the information I provide above.
- [] 4. **Request mitigation.** I admit the violations, but I believe that the penalty should be reduced for the reasons set out below (**if you do not include reasons supporting your application here, your request will be denied**):
- [] a) I ask for a hearing to present evidence on the information I provide above to an administrative law judge for a decision.
 - OR [] b) I ask for a Commission decision based solely on the information I provide above.

I declare under penalty of perjury under the laws of the state of Washington that the foregoing, including information I have presented on any attachments, is true and correct.

Dated: _____ [Month/Day/Year], at _____ [City, State]

Name of Respondent (Company) – please print

Signature of Applicant

RCW 9A.72.020 “Perjury in the first degree.”

- (1) A person is guilty of perjury in the first degree if in any official proceeding he or she makes a materially false statement which he or she knows to be false under an oath required or authorized by law.
- (2) Knowledge of the materiality of the statement is not an element of this crime, and the actor's mistaken belief that his or her statement was not material is not a defense to a prosecution under this section.
- (3) Perjury in the first degree is a class B felony.